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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|--------------------------------|------------------|
| 09/933,197 | 08/21/2001 | Daisuke Ito | 0879-0346P | 6456 |
| 2292 7590 03/26/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | EXAMINER JONES, HEATHER RAE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2621 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | NOTIFICATION DATE | DELIVERY MODE |
|--|-------------------|---------------|
| 3 MONTHS | 03/26/2007 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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| | | | |
|------------------------------|-------------------------------|----------------------------|--|
| Office Action Summary | Application No. 09/933,197 | Applicant(s) ITO ET AL. | |
| | Examiner Heather R. Jones | Art Unit 2621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 10 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/22/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed February 1, 2007 have been fully considered but they are not persuasive.

The Applicant argues on page 4, line 22 – page 5, line 32 that Watanabe et al. fails to meet the claim limitation “enciphering device that enciphers, according to the identification information, at least one of the image data and the operation information. Furthermore, the Applicant defines the claim term as converting into a signal form that is not easily decipherable, from a security perspective. The Examiner respectfully disagrees. Watanabe et al. discloses that the remote control code storing part is arranged to register beforehand VTRs usable for editing and to hold code strings forming remote-control signals that are respectively associated for use with the VTRs as registered (col. 8, lines 8-12). Furthermore, once a VTR is designated for editing, then the remote control codes associated with the determined VTR are set to be used for editing (col. 9, lines 50-54). Therefore, each device is associated with its own particular code and meets the claim limitations. Regarding the Applicant's argument about security, each device has its own set of codes meaning that other devices will not be able to decipher them, which makes each command sent out secure.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (U.S. Patent 5,953,481) in view of Steinberg et al. (U.S. Patent 5,862,217).

Regarding claim 1, Watanabe et al. discloses a reproducing apparatus having an editing function, which includes a camera-integrated type VTR that comprises a body (10), a control part provided to the body (2), the control part (2) being operated by a user (the control part (2) is operated by the user through the input key group (5)); a communication device which transmits image data (col. 10, lines 16-20); a wireless communication device (3) that transmits operation information corresponding with operation of the control part (2) to an external apparatus (11) to remotely control the external apparatus (11) (col. 9, lines 61-67; col. 10, lines 1-38) when within a predetermined distance therefrom; a storing device that stores identification information for specifying the external apparatus (col. 8, lines 8-12); a specifying device that specifies the external apparatus from the identification information stored in the storing device (col. 9, lines 50-55); and an enciphering device that enciphers, according to the identification information, at least one of the image data and the operation information (col. 8, lines 8-12 –

the remote-control signals which are respectively associated for use with the VTRs as registered). However, Watanabe et al. does not specifically disclose that the wireless communication device transmits image data.

Referring to the Steinberg et al. reference, Steinberg et al. discloses a remote video transmission system wherein image data is transmitted wirelessly from a camera-integrated device (10) to an external apparatus (12) (Fig. 1; col. 2, lines 49-64; col. 3, lines 31-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the image data transmitted by Watanabe et al. would be transmitted wirelessly, in the manner taught by Steinberg et al., so communication would be made easier by being accessible in areas where standard lines are inaccessible.

Regarding claim **10**, Watanabe et al. in view of Steinberg et al. discloses all the limitations previously discussed with respect to claim 1 as well as Watanabe et al. further disclosing that the control part (2) comprises an operation key (input key group (5)).

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. in view of Steinberg et al. as applied to claim 1 above, and further in view of Peters (U.S. Patent 6,601,093).

Regarding claim **20**, Watanabe et al. in view of Steinberg et al. discloses all the limitations as previously discussed with respect to claim 1, but does not specifically disclose the wireless communication device automatically initiates

communication with the external device without any action by the user when the camera is within a predetermined distance of the external apparatus.

Referring to the Peters reference, Peters discloses a networking environment that utilizes the Bluetooth™ technique, which is a technique that enables devices containing radio modems to be automatically detected upon coming into radio proximity with one or more other similarly-equipped devices (col. 6, lines 44-49). Peters gives the example of this technique being utilized between a wireless computer and server, wherein the wireless computer establishes communication with the server upon coming into proximity of the signal field of the server (col. 4, lines 41-50). Peters further states that the low-powered radio module defined by Bluetooth standard is intended to be built into various devices, including digital cameras (col. 6, lines 59-64), and that the advantages of using this technology include offering a great convenience to users in that devices can easily be added or moved without the inconvenience and expense of cables or in-premises wiring (col. 5, lines 1-19).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the Bluetooth technique disclosed by Peters into the electronic camera of Watanabe et al. in view of Steinberg et al., making the camera a Bluetooth-enabled device, to offer a great convenience to users in that the camera can easily be moved without the inconvenience and expense of cables or in-premises wiring when connected to the external device, and also to reduce power consumption which would occur if the external device

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was left on when not in use, but rather would turn the external device on when the camera is within a predetermined distance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Jones whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

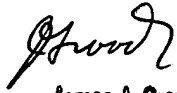
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Heather R Jones
Examiner
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HRJ
March 17, 2007


James J. Groody
Supervisory Patent Examiner
Art Unit 262 2621